



U.S. Department of Justice


Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 15, 2000


MEMORANDUM FOR THE ATTORNEY GENERAL


FROM: Robert Raben 
Assistant Attorney General

SUBJECT: Weekly Report for May 15, 2000 - May 19, 2000

THE WEEK AHEAD

FOIA EXEMPTION (b)5

Bankruptcy: According to recent news reports, the Senate leadership may attempt to combine the Electronic Signatures, the Bankruptcy and the H-1B visa bills into one "mega-bill" to be voted on prior to the Memorial Day recess. 

 While both bankruptcy and e-signatures are very close to completion, the Judiciary Committee is scheduled to mark up its version of H1-B visa legislation on Wednesday, May 17. In addition, Senator Wellstone has reiterated his intention to block the Bankruptcy bill when the conference report comes up for a vote. (Wilson)

Money Laundering Hearing: On May 15, the Financial Institutions and Consumer Credit Subcommittee (Roukema, Chair) of the House Banking Committee conducted a field hearing in Newark, N.J. on money laundering. Robert Cleary, U.S. Attorney for the Northern District of New Jersey, testified on behalf of the Department. (Graupensperger)

Hearing on Indian Contract Support Cost Bill: On May 16, the House Resources Committee (Young, Chair) will hold a hearing on H.R. 4148, a bill to make technical corrections to the provisions of the Self-Determination and Education Assistance Act relating to contract support costs and for other purposes. (Ho)

Methamphetamine Anti-Proliferation Act: On May 17, the House Judiciary Committee (Hyde, Chair) is scheduled to mark up H.R. 2987, the Methamphetamine Anti-Proliferation Act of 1999. The bill was previously scheduled for markup on May 9. (Tanner)

Indian Arts and Crafts Oversight Hearing: The Senate Indian Affairs Committee (Campbell, Chair) has scheduled an oversight hearing for May 17 on the Indian Arts and Crafts Statute, Section 1159(a), and has invited the Department to testify. Mark Van Norman, Director of the Office of Tribal Justice will testify on behalf of the Department. (Ho)

Indian Affairs Hearing: On May 17, the Senate Indian Affairs Committee (Campbell, Chair) will hold a hearing on S. 1658, a bill to authorize the construction of a reconciliation place in Fort Pierre, S.D., and for other purposes. Mark Van Norman, Director of the Office of Tribal Justice, will testify on behalf of the Department. (Ho)

Americans With Disabilities Hearing: On May 18, the Subcommittee on the Constitution (Canady, Chair) of the House Judiciary Committee will hold a hearing on H.R. 3590, a bill to amend Title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations. The Department is not testifying at this hearing. (Ho)

Oversight/False Claims Act: On May 18, the Subcommittee on Energy and Mineral Resources (Cubin Chair) of the House Resources Committee will hold an oversight hearing on potentially improper payments by a private organization to federal employees in a False Claims Act case. Civil Division's Deputy Assistant Attorney General Stuart Schiffer and Ken Dodd, Assistant U.S. Attorney (E.D. TX), will testify for the Department. (Burton/Pearlman)

Ban on National ID Cards: On May 18, the Government Management, Information and Technology Subcommittee (Horn, Chair) of the House Government Reform Committee will hold a hearing on H.R. 220, legislation that would prevent the federal government from establishing national identification cards or any other universal system of identification. The Department is preparing comments for submission on this legislation. (Owen)

Classified Evidence: The House Judiciary Committee (Hyde, Chair) has scheduled a hearing for May 23, regarding the use of classified evidence in immigration proceedings. FBI Director Louis Freeh has been invited to testify. (First)

Hearing on Mortgage Lending Abuses: On May 25, the House Banking and Financial Services Committee (Leach, Chair) will hold a hearing on mortgage lending abuses. (Ho)

THE WEEK IN REVIEW

Meeting with the Hawaiian Delegation: On May 12, representatives from the Department met with the Congressional Hawaiian Delegation to discuss Native Hawaiian issues. (Ho)

Child Exploitation Legislation: On May 11, the Crime Subcommittee (McCollum, Chair) of the House Judiciary Committee, held a hearing to consider the following bills related to child exploitation: H.R. 894, the "No Second Chances for Murderers, Rapists, or Child Molesters Act of 1999"; H.R. 4045, "Matthew's Law," providing enhanced penalties for crimes of violence against children under age 13; H.R. 4047, "Two Strikes and You're Out Child Protection Act"; and, the "Juvenile Justice and Accountability Act of 1999," companion legislation to S. 254.

The Department submitted written views on these bills, all four of which were included in some form in H.R. 1501, the Juvenile Justice and Accountability Act of 1999, companion legislation to S. 254, the "gun bill." (Owen)

Military Extraterritorial Jurisdiction Act: On May 11, the Crime Subcommittee (McCollum Chair) of the House Judiciary Committee marked up H.R. 3380, the Military Extraterritorial Jurisdiction Act, which would extend federal jurisdiction to offenses committed by persons accompanying the U.S. Military outside the United States. (Graupensperger)

Computer Security: On May 11, the House International Relations Committee (Gilman, Chair) held a hearing on security lapses in State Department Computer systems. Tim Breznay, National Security Division of the FBI, testified before the Committee. (Walter)

VAWA: At the May 11 markup of H.R. 1248, the Crime Subcommittee (McCollum, Chair) of the House Judiciary Committee, agreed to an amendment by Congressman McCollum which makes several sweeping changes to the underlying bill. Among those changes, dating violence was removed from the STOP grants and the definition of "underserved populations" was amended so that it no longer includes "sexual orientation," "alienage status" or "religion." We are continuing to work with both majority and minority staff on this legislation in anticipation of a full Committee markup. (First/D. Burton)

Mandatory Minimum Sentences: On May 11, the Criminal Justice, Drug Policy and Human Resources Subcommittee (Mica, Chair) of the House Government Reform Committee held a hearing on the use of mandatory minimum sentences in drug prosecutions. John Roth, Chief of the Narcotics and Dangerous Drug Section of the Criminal Division, and Tom Kane, Assistant Director for Policy of the Bureau of Prisons testified before the Subcommittee. (Tanner)

Nominations: On May 11, the Senate Judiciary Committee approved the following nominations by voice vote: Donnie Marshall, to be Administrator of the Drug Enforcement Administration; Kent Dawson and Roger Hunt, both to be United States District Court Judges for the District of Nevada; Nicholas Garafus, to be a United States District Judge for the Eastern District of New York; Phyllis Hamilton, to be a United States District Judge for the Northern District of California; Gerard Lynch, to be a United States District Judge for the Southern District of New York; Audrey Fleissig, to be United States Attorney for the Eastern District of Missouri; Steven Reed, to be United States Attorney for the Western District of Kentucky; Donald Horton, to be United States Marshal for the District of Columbia; E. Douglas Hamilton, to be United States Marshal for the Western District of Kentucky; and Jose Antonio Perez, to be United States Marshal for the Central District of California. Senators Ashcroft, Kyl, Sessions and Smith requested that they be recorded as "no" votes on the Lynch nomination.

The nominations of James Brady, to be a United States District Judge for the Middle District of Louisiana; Mary McLaughlin, Berle Schiller, Barclay Surrick and Petrese Tucker, all to be United States District Judges for the Eastern District of Pennsylvania, were held over until the next business meeting. Senator Leahy stated that Allen Snyder's nomination was not on the agenda. Senator Sessions replied that the case load for the Court was dropping and questioned the need to fill the seat. The Committee held a hearing on all of these nominees on May 10.

On May 10, the Senate Governmental Affairs Committee held a confirmation hearing on the nominations of Anna Blackburne-Rigsby, Thomas Motley, and John Mott, all to be Associate Judges of the Superior Court of the District of Columbia. (Scott-Finan)

Providence, Rhode Island: On May 10, constituents of Congressman Patrick Kennedy met with the Deputy Attorney General and Community Relations Service Director Rose Ochi, as well as staff from the Associate's Office, the Civil Rights Division and the Office of Legislative Affairs, to present their concerns about the State's case in the Cornell Young shooting. (Scott-Finan)

Appropriations: Both the House and Senate Appropriations Committees marked up the FY 2001 spending bills last week. Of note, the FY 2001 military construction, agriculture and foreign operations bills in the Senate are the vehicles for the FY 2000 emergency supplemental funding which were marked up by the Senate Appropriations Committee on May 9. (Daley)